



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,818	03/30/2001	Allen E. Silky	21113-05690	6609
22830	7590	09/28/2004	EXAMINER	
CARR & FERRELL LLP 2200 GENG ROAD PALO ALTO, CA 94303			CARDONE, JASON D	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,818

Applicant(s)

SILKY ET AL.

Examiner

Jason D Cardone

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: See Attached Office Action.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "218" in Figure 2. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "502" has been used to designate both "annual revenue" and "money looking for" tabs and reference character "504" has been used to designate both "business" and "primary collateral" tabs. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is

Art Unit: 2145

being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-8, 11-17, 20, 22-27 and 34 rejected under 35 U.S.C. 102(b) as being anticipated by Iyengar, USPN 5,961,601.

Regarding claim 1, Iyengar discloses a computer implemented method for maintaining information provided by a user, comprising:

encoding session information in a first web page, wherein at least a portion of the session information is not visible to the user and sending the first web page over a network to a web browser of the user [ie. sending hidden variables in a web page form to a user, Iyengar, col. 8, lines 1-31 and col. 14, lines 15-63];

receiving updated session information from the user via the network [Iyengar, col. 8, lines 8, lines 20-31 and col. 12, lines 18-27];

decoding the updated session information and using the decoded session information to create a second web page [Iyengar, col. 12, lines 27-41].

5. Regarding claim 3, Iyengar further discloses the session information is placed in a hidden form field [Iyengar, col. 7, line 50 – col. 8, line 31 and col. 14, lines 15-63].

6. Regarding claim 4, Iyengar further discloses determining from the decoded session information a state of the user's web session [Iyengar, col. 12, lines 27-41].

7. Regarding claim 5, Iyengar further discloses determining from the decoded session information all information provided by the user in a web session [Iyengar, col. 12, lines 27-41].

8. Regarding claim 6, Iyengar further discloses encoding in the first web page all information provided by the user at the time of encoding [Iyengar, col. 8, lines 1-31 and col. 14, lines 15-63].

9. Regarding claims 7 and 8, Iyengar further discloses the decoded session information is encoded into the second web page, wherein information encoded into the second web page includes all relevant session information provided by the user at the time of encoding [Iyengar, col. 10, line 57 – col. 10, line 19 and col. 12, lines 27-41].

10. Regarding claims 11-17, 20, 22-27 and 34, claims 11-17, 20, 22-27 and 34 have similar limitations as disclosed in claims 1 and 3-8. Therefore, they are rejected under Iyengar for the same reasons set forth in the rejection of claims 1 and 3-8 [Supra 1 and 3-8].

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

13. Claims 2, 9, 10, 18, 19, 21 and 28-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iyengar in view of Puri, USPN 6,064,982.

14. Regarding claim 2, Iyengar substantially discloses the instant claimed invention. Iyengar does not specifically disclose the information provided by the user enables the

Art Unit: 2145

configuring of a configurable product. However, Puri, in the same field of endeavor, discloses information provided by a user enables the configuring of a configurable product [Puri, col. 2, lines 28-43 and col. 3, lines 40-67]. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to configure a configurable product over the internet, taught by Puri, into the web page system, taught by Iyengar, in order for users to build products, in a user-friendly way, using the system of Iyengar.

Regarding claims 9 and 10, Iyengar-Puri further discloses using the updated session information to determine a configuration result and using the configuration result to generate the second web page [Iyengar, col. 10, line 57 – col. 10, line 19 and col. 12, lines 27-41] [Puri, col. 3, lines 1-23 and col. 4, lines 1-22].

15. Regarding claims 18, 19, 21 and 28-33, claims 18, 19, 21 and 28-33 have similar limitations as disclosed in claims 2, 9 and 10. Therefore, they are rejected under Iyengar-Puri for the same reasons set forth in the rejection of claims 2, 9 and 10 [Supra 2, 9 and 10].

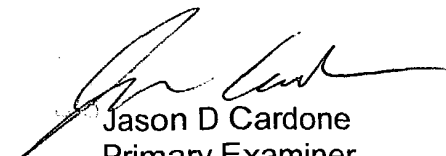
Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason D Cardone whose telephone number is (703) 305-8484. The examiner can normally be reached on Mon.-Thu. (9AM-6PM).

Art Unit: 2145

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on (703) 305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jason D Cardone
Primary Examiner
Art Unit 2145

September 23, 2004